

REMARKS

Claims 10-17 are pending in this application. In the Office Action dated June 30, 2005, claims 15 and 17 are objected to based on informalities. Claims 10, 11, and 14 are rejected under 35 U.S.C. § 112, ¶ 2, as being indefinite. Claims 10-17 are rejected under 35 U.S.C. § 103(a) in view of the cited references.

Claims 10-17 are requested to be amended. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate status identifier for each.

Applicants respectfully request entry of the foregoing amendments under 37 C.F.R. § 1.116 and favorable reconsideration of the present application as amended in view of the reasons that follow. Because this response is being submitted within two (2) months of the mailing date of the Office Action, a prompt Advisory Action is requested in the event that this reply is not found to place the application in condition for allowance.

Objection to claims 15 and 17

In section 2 of the Office Action, claims 15 and 17 are objected to based on informalities related to the use of acronyms.

Claim 15 has been amended to recite “an intelligent network (IN)” where the acronym “IN” is first used.

Claim 17 has been amended to recite “intelligent network (IN)” where the acronym “IN” is first used. Claim 17 has also been amended to recite “Service Switching Point (SSP)” where the acronym “SSP” is used. Claim 17 has also been amended to recite “a number portability (NP) server” where the acronym “NP” is first used.

Claim 10 has been amended to recite an “Intelligent Network Application Part (INAP) part” where the acronym “INAP” is used.

Claim 11 has been amended to recite “a Signaling Connection Control Part (SCCP) part” where the acronym “SCCP” is used.

Claim 13 has been amended to recite "Internet Protocol (IP)" where the acronym "IP" is used.

Claim 14 has been amended to recite "the NP server" for consistency with the introduction of the acronym "NP" in claim 17:

Accordingly, Applicants respectfully submit that the objections to claims 15 and 17 be withdrawn. Applicants further submit that the above-mentioned amendments to claims 10-15 and 17 are presented only to advance prosecution and clarify the use of acronyms in these claims. The above-mentioned amendments to claims 10-15 and 17 are not intended to narrow the original intended scope of these claims, and are not intended to overcome rejections based on the cited references.

Rejection of claims 10, 11, and 14 under 35 U.S.C. § 112, ¶ 2

In section 3 of the Office Action, claims 10, 11, and 14 are rejected under 35 U.S.C. § 112, ¶ 2 as being indefinite.

Claims 10 and 11 have been amended to recite "to determine the network operator" for consistency with claim 17, which has been amended to recite "to determine a network operator."

Claim 14 has been amended to recite "a basic network based on the intelligent network" and "the IN call" to provide sufficient antecedent basis.

Accordingly, Applicants request that the rejection of claims 10, 11, and 14 under 35 U.S.C. § 112, ¶ 2 be withdrawn.

Rejection of claims 10-17 under 35 U.S.C. § 103(a)

In section 4 of the Office Action, claims 10-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bargout et al. (U.S. Patent No. 5,867,570) in view of Norell (U.S. Patent No. 5,517,563). As explained below, the cited combination of references fails to disclose the claimed invention.

1. Claims 15-16

With regard to claim 15, Applicants respectfully submit that the cited combination of Bargout et al. in view of Norell fails to teach, disclose, or suggest all of the elements of claim 15 as combined therein, even when these elements are given a broad construction. Specifically, the cited combination of Bargout et al. in view of Norell does not teach, disclose, or suggest “wherein the IN query appears to the switching center to be sent directly to the service platform, and wherein the IN query is not sent to the NP server via the service platform” as included in the combination of elements of claim 15 as amended. In particular, Bargout et al. teaches only that “the PODP trigger interrupts call processing and causes SSP 30 to send a TCAP query to the SCP 50” and that “[w]hen the SCP 50 receives the TCAP query, it accesses the LNP database 52.” Col. 7, lines 61-67 (emphasis added). In fact, the Office Action recognizes that “Bargout et al. further teaches that SCP 10 determines if the dialed digits received from SSP 12 are in its Location Routing Number (LRN) database table, and if so, returns the LRN number to SSP 12.” Thus, Bargout et al. does not teach, disclose, or suggest “wherein the IN query appears to the switching center to be sent directly to the service platform, and wherein the IN query is not sent to the NP server via the service platform” as included in the combination of elements of claim 15.

While Bargout et al. fails to teach, disclose, or suggest the elements or combination of claim 15, Norell does not teach, disclose, or suggest any of the elements of claim 15 mentioned above which are lacking in Bargout et al. Thus, the cited combination of Bargout et al. in view of Norell fails to disclose the subject matter of claim 15. Accordingly, Applicants request that the rejection of claim 15 under 35 U.S.C. § 103(a) be withdrawn. Additionally, claim 16 depends from claim 15 and would thus be patentable over the cited combination of references for at least the same reasons, and Applicants further request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn as well.

2. Claims 17 and 10-14

With regard to claim 17, Applicants respectfully submit that the cited combination of Bargout et al. in view of Norell fails to teach, disclose, or suggest all of the steps of claim 17 as combined therein, even when these steps are given a broad construction. Specifically, the cited combination of Bargout et al. in view of Norell does not teach, disclose, or suggest “sending the IN query to a number portability (NP) server, wherein the IN query appears to the switching center to be sent directly to a service platform having Service Control Point (SCP) functionality, and wherein the IN query is not sent to the NP server via the service platform” as included in the combination of steps of claim 17 as amended. In particular, Bargout et al. teaches only that “the PODP trigger interrupts call processing and causes SSP 30 to send a TCAP query to the SCP 50” and that “[w]hen the SCP 50 receives the TCAP query, it accesses the LNP database 52.” Col. 7, lines 61-67 (emphasis added). In fact, the Office Action recognizes that “Bargout et al. further teaches that SCP 10 determines if the dialed digits received from SSP 12 are in its Location Routing Number (LRN) database table, and if so, returns the LRN number to SSP 12.” Thus, Bargout et al. does not teach, disclose, or suggest “sending the IN query to a number portability (NP) server, wherein the IN query appears to the switching center to be sent directly to a service platform having Service Control Point (SCP) functionality, and wherein the IN query is not sent to the NP server via the service platform” as included in the combination of steps of claim 17.

While Bargout et al. fails to teach, disclose, or suggest the steps or combination of claim 17, Norell does not teach, disclose, or suggest any of the steps of claim 17 mentioned above which are lacking in Bargout et al. Thus, the cited combination of Bargout et al. in view of Norell fails to disclose the subject matter of claim 17. Accordingly, Applicants request that the rejection of claim 17 under 35 U.S.C. § 103(a) be withdrawn. Additionally, claims 10-14 depend from claim 17 and would thus be patentable over the cited combination of references for at least the same reasons, and Applicants further request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn as well.

Conclusion

Applicants believe that the present application is now in condition for allowance, and favorable reconsideration of the application as amended is respectfully requested. In particular, even when the elements and steps of Applicants' claims, as discussed above, are given a broad construction and interpreted to cover equivalents, the references relied upon in the rejections under 35 U.S.C. § 103(a) do not teach, disclose, or suggest the claimed subject matter.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date 8/29/2005

By Chad E. Bement

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5554
Facsimile: (414) 297-4900

Chad E. Bement
Attorney for Applicant
Registration No. 54,991